

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/FLN)

This Document Relates To:
All Actions

**DECLARATION OF PETER J. GOSS
IN SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFFS'
MOTION TO EXCLUDE THE
OPINIONS AND TESTIMONY OF
JIM HO, PH.D**

Peter J. Goss, being first duly sworn, deposes and declares:

I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company and Arizant Healthcare Inc. (together, "Defendants") in this litigation. I submit this declaration in support of Defendants' Opposition to Plaintiffs' Motion to Exclude the Opinions and Testimony of Jim Ho, Ph.D. Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

1. Attached as Defendants' Exhibit DX1 is a true and correct copy of the transcript of the deposition of Jim Ho, Ph.D.
2. Attached as Defendants' Exhibit DX2 is a true and correct copy of Dr. Ho's Expert Report in this matter.

3. Attached as Defendants' Exhibit DX3 is a true and correct copy of Dull P. et al., "Bacillus anthracis aerosolization associated with a contaminated mail sorting machine" 8 *Emerging Infectious Diseases* 1044 (2002).

4. Attached as Defendants' Exhibit DX4 is a true and correct copy of Mora M. et al., "Microorganisms in Confined Habitats: Microbial Monitoring and Control of Intensive Care Units, Operating Rooms, Cleanrooms and the International Space Station" 7 *Frontiers in Microbiology* 1 (2016).

5. Attached as Defendants' Exhibit DX5 is a true and correct copy of a transcript from a video available on the YouTube website at <https://www.youtube.com/watch?v=J68OwHoCYuy>.

6. Attached as Defendants' Exhibit DX6 is a true and correct copy of excerpts from the transcript of the deposition of Mark Albrecht.

7. Attached as Defendants' Exhibit DX7 is a true and correct copy of excerpts from the transcript of the deposition of Scott Augustine.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 3, 2017

Respectfully submitted,

s/Peter J. Goss

Peter J. Goss